

ASSEMBLY BILL

No. 2290

Introduced by Assembly Member Bradford

February 18, 2010

An act to amend Section 3000.03 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 2290, as introduced, Bradford. CDCR: inmates: summary parole.

Existing law provides that the Department of Corrections and Rehabilitation shall not return to prison, place a parole hold on, or report any parole violation to the Board of Parole Hearings regarding any person to whom all of specified criteria apply.

This bill would require the Department of Corrections and Rehabilitation, at least 60 days prior to the release of such a person, to notify the local law enforcement agency of the jurisdiction to which the person is to be released regarding the scheduled release.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3000.03 of the Penal Code, as amended
- 2 by Section 48 of Chapter 28 of the Third Extraordinary Session
- 3 of the Statutes of 2009, is amended to read:
- 4 3000.03. (a) Notwithstanding any other provision of law, the
- 5 Department of Corrections and Rehabilitation shall not return to
- 6 prison, place a parole hold on pursuant to Section 3056, or report
- 7 any parole violation to the Board of Parole Hearings regarding any
- 8 person to whom all of the following criteria apply:

1 ~~(a)~~

2 (1) The person is not required to register as a sex offender
3 pursuant to Chapter 5.5 (commencing with Section 290) of Title
4 9 of Part 1.

5 ~~(b)~~

6 (2) The person was not committed to prison for a serious felony
7 as defined in Sections 1192.7 and 1192.8, or a violent felony, as
8 defined in Section 667.5, and does not have a prior conviction for
9 a serious felony, as defined in Section 1192.7 and 1192.8, or a
10 violent felony, as defined in Section 667.5.

11 ~~(c)~~

12 (3) The person was not committed to prison for a sexually
13 violent offense as defined in subdivision (b) of Section 6600 of
14 the Welfare and Institutions Code and does not have a prior
15 conviction for a sexually violent offense as defined in subdivision
16 (b) of Section 6600 of the Welfare and Institutions Code.

17 ~~(d)~~

18 (4) The person was not found guilty of a serious disciplinary
19 offense, as defined in regulation by the department, during his or
20 her current term of imprisonment.

21 ~~(e)~~

22 (5) The person is not a validated prison gang member or
23 associate, as defined in regulation by the department.

24 ~~(f)~~

25 (6) The person did not refuse to sign any written notification of
26 parole requirements or conditions, including, but not limited to,
27 the written notification of requirements pursuant to Section 3067.

28 ~~(g)~~

29 (7) The person was evaluated by the department using a
30 validated risk assessment tool and was not determined to pose a
31 high risk to reoffend.

32 ***(b) The Department of Corrections and Rehabilitation, not less***
33 ***than 60 days prior to the release of an inmate described in***
34 ***subdivision (a), shall notify the local law enforcement agency of***
35 ***the jurisdiction to which the inmate is to be released regarding***
36 ***that scheduled release.***